



MINNESOTA BOARD OF DENTISTRY

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Public Board Meeting Minutes January 9, 2015

Call to Order

Board President Teri Youngdahl called the meeting to order at 8:00 a.m.

Board Members Present

Teri Youngdahl, LDA – President
David Gesko, DDS – Vice President
Allen Rasmussen, MA, BS – Secretary
Nancy Kearn, DH – Past President
Neal Benjamin, DDS
Jake Manahan, JD
Joan Sheppard, DDS
Paul Walker, DDS
Steven Sperling, DDS

Board Staff Present

Judy Bonnell, Complaint Analyst
Deb Endly, Compliance Officer
Sheryl Herrick, Office Manager
Amy Johnson, Licensing Analyst
Kathy Johnson, Legal Analyst
Mary Liesch, Complaints/Compliance Director
Joyce Nelson, Licensing Director
Michelle Schroeder, Administrative Assistant
Marshall Shragg, Executive Director
Vicki Vang, Administrative Assistant

Attorney General's Office Counsel Present

Greg Schaefer – Assistant Attorney General
Karen Olson – Deputy Attorney General

Others in Attendance (per sign-in sheet)

Candy Hazen, DH – MnDHA; Dave Linde, DDS – MDA; Todd Thierer, DDS – U of M; Carmelo Cinqueonce, MBA – MDA; Beth Rynders, LDA – MEDA; Suzanne Beatty, DDS – Metropolitan State University; Jeanne Anderson, DH – MDHEA; Stephen McDonnell, DDS – MDA; Susan Block, DDS – MDA; David Resch, DDS – MDA; Kathy Lapham, LDA – MEDA; Lori Pelke – Midwest Dental; George Kinney Jr, DDS – CRDTS; Dick Diercks – Park Dental; Loren Taple, DDS - MDA

Review and Approval of Minutes

Minutes from the October 24, 2014 Public Board meeting were reviewed and approved with the following changes:

- Page 2, line 27- strike “if” and add “of”
- Page 5, line 51- strike “is” and add “should be”
- Page 6, line 22- change “pursing” to “pursuing”
- Page 6, line 27- add “hygiene” before “exam”
- Page 6, line 28- add “after January 1st” after “fees”
- Page 7, line 9- change “Caroling” to “Carolina”

Motion made to accept the October 24, 2014 minutes as amended.

MOTION: Paul Walker

SECOND: Nancy Kearn

VOTE: For: 9

Opposed: 0

RESULT: Motion Passed. Minutes approved as amended.

Recognitions

Board President Teri Youngdahl thanked Joan Sheppard for her 8 years of service on the Board. She thanked Paul Walker and Jake Manahan for completing their first term of 4 years on the Board. She then thanked Judy Bonnell for over 16 years of service as a staff member and congratulated her on her upcoming retirement.

Teri thanked Dr Candace Mensing for her years of service to the Board and indicated that a certificate from the Governor and a plaque from the Board will be sent to Dr Mensing.

Seating of New Officers

President: David Gesko, DDS
Vice President: Allen Rasmussen, MA, BS
Secretary: Neal Benjamin, DDS
Past President: Teri Youngdahl, LDA

Delegation of Authority

Marshall informed the Board that a Delegation of Authority form needs to be filled out for the Board to delegate authority to the new Board President, David Gesko. Responsibilities delegated are listed in statute.

Motion made to authorize Delegation of Authority for David Gesko with duties as listed in statute.

MOTION: Neal Benjamin
SECOND: Jake Manahan
VOTE: For: 9
Opposed: 0
RESULT: Motion Passed. Delegation of Authority form will be completed for David Gesko.

Marshall indicated that a Delegation of Authority form is needed in order for Deb Endly to provide approval for community service requests and completion for licensees who are under an Agreement for Corrective Action or Disciplinary Action. This would allow Deb to approve community service rather than requiring complaint committee approval.

Motion made to authorize Delegation of Authority for Deb Endly to provide community service approval to licensees.

MOTION: Steven Sperling
SECOND: Joan Sheppard
VOTE: For: 9
Opposed: 0
RESULT: Motion Passed. Delegation of Authority form will be completed for Deb Endly.

David Gesko welcomed everyone who was in attendance at the Board meeting. Board members, staff and meeting attendees introduced themselves.

Neal Benjamin presented a motion to the Board.

Motion made to amend the IOPP to allow the full Board to meet in closed session for the purpose of a performance review of the Executive Director.

MOTION: Neal Benjamin

Following discussion, Neal withdrew his motion.

Motion made to schedule a special meeting of the full Board to discuss modifications to the IOPP followed by a closed session to evaluate the performance of the Executive Director.

MOTION: Joan Sheppard
SECOND: Paul Walker
VOTE: For: 5 (Gesko, Sheppard, Benjamin, Walker, Sperling)
Opposed: 4 (Rasmussen, Manahan, Kearn, Youngdahl)
RESULT: Motion Passed. Special Full Board meeting will be scheduled.

Following approval of the motion David asked that the Board convene in closed session following the Public Board meeting that day to discuss the performance of the Executive Director.

Professional Associations and Dental Educator Reports

MDA – Carmelo Cinqueonce reported that a written report from MDA was included in the Board packet. He congratulated Dr Gesko and the new Board officers. Carmelo indicated that Dental Day at the Capitol is scheduled for March 12th, and Give Kids a Smile is scheduled for February 6-7.

MnDHA – No Report

MnDAA – No Report

MEDA – Beth Rynders reported that MEDA provided a written report which was included in the Board packet. Beth reported that as of spring 2015, dental assisting students will be taught gingival displacement retraction cord placement as a part of their program. Beth expressed concern that the Dental Assisting State Licensure Exam (DASLE) is not available to be taken until March 1st. MEDA members were informed on December 19th, the last day educators were at schools before their break, that the test would be unavailable. As a group, MEDA asked that the Board proctor the DASLE test prior to March 1st so their students can become licensed. Marshall informed Beth that the Board doesn't have the resources necessary to proctor the exam, but that PSI has moved up the start date for proctoring exams to February 16th. Beth indicated that the remainder of the MEDA report, the request to eliminate the radiology portion of the DASLE, will be discussed during the Allied Dental Education Committee report.

MDHEA – Jeanne Anderson reported that MDHEA typically has a spring meeting. The meeting date has not been set, but she will have more information at the next Board meeting.

MDH Oral Health Program – No Report

U of M – Todd Thierer indicated that he had provided a report at the Executive Committee Meeting. Todd reported that their new Associate Dean of Academic Affairs, Dr Keith Mays, will be starting work at the U on January 28th. Todd noted that CRDTS will not be holding a dental hygiene exam at the U of M in July this year. The DDS class size at the U of M is planned to increase to 110 pending approval from the Commission on Dental Accreditation. With the increase in class size, the U is committed to increasing the number of students from Minnesota and particularly from rural Minnesota. Target numbers are 70 students from Minnesota, with at least 20 from rural areas. The addition in class size was made primarily to attempt to increase the number of dentists in greater Minnesota.

Metropolitan State University – Suzanne Beatty reported that Metro State's 3rd cohort of ADT students graduated in December. The admission process for the 5th cohort, to begin in fall 2015, will be closing in the next couple months. Current students will be participating in the upcoming Give Kids a Smile.

Midwest Dental Laboratory Association – No report

Minnesota Dental Therapist's Association – No report

Minnesota Society of Oral and Maxillofacial Surgeons (MSOMS) – No report

1 **CRDTS Examiners** – CRDTS Deputy Examiner Dr George Kinney, Jr was present at the meeting. He reported
2 that he is a part of the CRDTS exam evaluation and review committee. He stated that CRDTS has an impressive
3 way of evaluating and assigning examiners and that the Board should be proud to be a part of CRDTS.
4

5 **Executive Director's Report**

6 Marshall Shragg reported on the following items:

- 7 • Board members were given a handout with information from the AADA roundtable discussion that
8 Marshall attended. Marshall indicated that many states are looking at issues similar to what Minnesota is
9 looking at.
- 10 • The criminal background check process is close to being operational. It had been hoped that the
11 background checks could begin January 1st, but construction requirements have pushed that date back.
12 An announcement will go out when the background check process is able to begin.
- 13 • A Board newsletter was published and emailed to licensees in December. It is anticipated that
14 newsletters will now go out shortly after Board meetings to include highlights from the Board meeting
15 in addition to concerns and actions of the Board.
- 16 • Staff will be going through a Healthcare Provider CPR course next week.
- 17 • A year-end summary of work done by the Board, Executive Director and staff was included in the
18 Board packet.
- 19 • The budget summary provided in the meeting packet lists a shortfall. The main reason for the shortfall
20 that is showing now is that expenses have been encumbered for the full year, but the budget summary
21 only shows actual receipts through December.
- 22 • The AGO didn't have sufficient funding appropriated in their budget to meet the volume of services for
23 health licensing boards last year. Once the amount budgeted for was reached, boards were no longer
24 billed for services but did still receive services. It is anticipated that this same issue may occur again this
25 year. If it does, the AGO may not be able to continue to provide necessary services. Executive Directors
26 for the health licensing boards are meeting to discuss possible options. Marshall indicated that he will
27 keep the Board informed on this issue.
- 28 • The Administrative Law Judge who presided over the November 6th rules hearing has until January 16th
29 to provide a decision to the Board regarding the proposed rules. If any changes are needed, it will be
30 March or April before the proposed rules take effect.
- 31 • The Board will have a bill this year because of budget issues. Minor policy issues will be included in a
32 bill, which will likely be wrapped into omnibus Health and Human Services bills.
33

34 **Committee Reports**

35 **Executive Committee/President's Report** – Teri Youngdahl reported that a written President's report was
36 included in the Board packet. Teri reported that the Executive Committee has worked on the Executive Director
37 Performance Evaluation process, and the Committee presents the document for Board approval.
38

39 **Motion made to adopt the established Minnesota Board of Dentistry Performance Evaluation**
40 **process for the Executive Director and incorporate it into the Internal Operating Policies and**
41 **Procedures.**

42
43 **MOTION:** Executive Committee

44 **VOTE:** For: 8 (Gesko, Sheppard, Rasmussen, Manahan, Kearn,
45 Youngdahl, Walker, Sperling)

46 Opposed: 1 (Benjamin)

47 **RESULT:** Motion Passed. Performance Evaluation process will be incorporated into
48 the IOPP.
49

1 Teri reported that the Board Member Self-Reflection document included in the meeting packet has not changed
2 since the previous meeting. The Executive Committee presents this document for Board approval.
3

4 **Motion made to adopt the Board Member Self-Reflection Questionnaire and incorporate it into**
5 **the Internal Operating Policies and Procedures.**
6

7 **MOTION: Executive Committee**

8 **VOTE: For: 9**

9 **Opposed: 0**

10 **RESULT: Motion Passed. Self-Reflection document will be added to the IOPP.**
11

12
13 **Motion made to amend the Board Member Self-Reflection Questionnaire to add the additional**
14 **question "I act in a respectful manner in all dealings with members of the Board and public."**
15

16 **MOTION: Paul Walker**

17 **SECOND: Teri Youngdahl**

18 **VOTE: For: 9**

19 **Opposed: 0**

20 **RESULT: Motion Passed. Self-Reflection document will have the additional question**
21 **added.**
22

23 **Policy Committee** – Jake Manahan reported that the Policy Committee has included a motion in the Board
24 packet regarding infection control. Infection control has been on the Policy Committee agenda for well over a
25 year.
26

27 **Motion made that the Minnesota Board of Dentistry will take a more proactive approach to**
28 **ensuring compliance with infection control standards in dental practices by adopting a multi-**
29 **pronged approach that will include, in combination...**

- 30 1. Increased education
- 31 2. Accountability for education through: self-assessments and additional requirements
- 32 within a CE/Professional Development cycle
- 33 3. Reporting of certain infection control compliance measures when complaints are filed
- 34 (e.g., spore testing records, evidence of an I/C manual, staff vaccination records, etc.)
- 35 4. Development of an infection control checklist
- 36 5. Establishment of educational programs in conjunction with professional associations and
- 37 educational institutions
- 38 6. Adoption of random infection control inspections subject to the availability of resources
- 39 7. Establishment of administrative penalties for certain defined violations
- 40 8. Include attestation by all licensees at the time of license renewal that they have been
- 41 compliant with infection control standards

42 **MOTION: Policy Committee**

43 **VOTE: For: 4 (Rasmussen, Manahan, Kearn, Youngdahl)**

44 **Opposed: 5 (Gesko, Sheppard, Benjamin, Walker, Sperling)**

45 **RESULT: Motion does not pass.**
46

Following voting on the Policy Committee motion, the following motion was brought forth:

Motion made that the Minnesota Board of Dentistry will take a more proactive approach to ensuring compliance with infection control standards in dental practices by adopting a multi-pronged approach that will include, in combination...

1. Increased education to licensees through use of communication tools such as newsletter articles, email blasts, presentation of courses and coordination with agencies and communities of interest
2. Accountability for education through: self-assessments and additional requirements within a CE/Professional Development cycle
3. Report of defined infection control compliance measures when complaints are filed (e.g., spore testing records, evidence of an individualized I/C manual, staff vaccination records, etc.)
4. Development of an infection control checklist based on the adopted statute and rule of CDC current infection control protocols
5. Establishment of educational programs in conjunction with professional associations and educational institutions
6. Establishment of administrative penalties for certain defined violations
7. Include attestation by all licensees at the time of license renewal that they have been compliant with infection control standards
8. Mandatory reporting of violations within the Minnesota Dental Practice Act

MOTION: Nancy Kearn

SECOND: Teri Youngdahl

Following discussion among Board members, Nancy and Teri amended their motion to:

Motion to refer infection control proposal back to the Policy Committee for further discussion and development.

VOTE: For: 9

Opposed: 0

RESULT: Motion Passed. Infection control proposal will be referred back to the Policy Committee.

Presentation: Immunization Delivery Courses for Dentists – Dr Ann Philbrick from the University of Minnesota College of Pharmacy Office of Continuing Education attended the meeting and provided information to Board members regarding a proposed course for dentists to take to become eligible to administer influenza vaccines. She developed a comprehensive (long) course and a shorter, bare bones version. Marshall provided background information on why the course was needed. In order for dentists to provide the vaccine, they must take a Board-approved course.

Motion made to approve both long and short immunization delivery courses as presented to the Board.

MOTION: Jake Manahan

SECOND: Paul Walker

VOTE: For: 9

Opposed: 0

RESULT: Motion Passed. Immunization delivery courses approved as presented.

Allied Dental Education Committee – Teri Youngdahl reported that the Allied Dental Education Committee report was included in the Board packet. The Committee met on December 3rd and continued discussion regarding a request from Minnesota Educators of Dental Assistants (MEDA) to eliminate the radiology portion of the Dental Assisting State Licensure Exam (DASLE), since applicants for licensure must also pass the Dental Assisting National Board (DANB) exam, which also has a radiation health and safety portion. Marshall reported

that the new exam vendor is aware that the Board may be moving toward a new exam format, removing the radiology portion of the exam, and that the vendor believes they could have a new format ready by October 1st.

Motion made to eliminate the radiology portion of the Dental Assisting State Licensure Exam (DASLE), creating a new exam that would increase the expanded functions questions of the DASLE to 150 questions, of which radiology would be included.

MOTION: Allied Dental Education Committee

VOTE: For: 9

Opposed: 0

RESULT: Motion Passed. Board will work with new exam vendor to remove the radiology portion of the DASLE by October 1st.

Meeting adjourned for lunch break at 12:17 pm and reconvened at 12:40 pm.

Dental Therapy Program Review Committee – Nancy Kearn reported that the Dental Therapy Program Review Committee met on November 21st to review a proposed ADT certificate program from the University of Minnesota. The certificate program would be for individuals who previously graduated from the Dental Therapy program at the U who require additional education to be eligible for ADT licensure. The program, if approved, would need to be completed within 10 years of graduation.

Motion made to approve the Advanced Dental Therapy certificate program for the 36 previously graduated U of M DT students.

MOTION: Dental Therapy Program Review Committee

VOTE: For: 9

Opposed: 0

RESULT: Motion Passed. U of M ADT Certificate program approved.

Sedation Committee – Paul Walker reported that the Sedation Committee included a motion in the Board packet. The Committee feels that it may be beneficial to include questions regarding nitrous oxide as it relates to minimal sedation in the self-assessment.

Motion made to suggest that the Professional Development Committee consider including questions on the Self-Assessment relating to Nitrous Oxide Analgesia as it relates to minimal sedation.

MOTION: Sedation Committee

VOTE: For: 9

Opposed: 0

RESULT: Motion Passed. PD Committee to consider Nitrous Oxide questions for Self-Assessment.

Jurisprudence/Professional Development Committee – Jake Manahan reported that a new Jurisprudence exam with a larger pool of questions will be available October 1st. The passing score for the Jurisprudence exam has been increased to 80%. The 2015-2016 Self-Assessment is now available on the Board website.

Council of Health Boards – No report. Has not met.

Advertising Task Force – No report. Has not met.

HPSP – Allen Rasmussen reported that the HPSP Program Committee met November 18th, with 14 of 17 members attending. HPSP statistics were included in the Board packet. HPSP is planning to request additional funding to set up an electronic toxicology data management system. HPSP has adopted a new mission statement: “Mission: The Health Professionals Service Program protects the public by providing monitoring services to regulated health care professionals whose illnesses may impact their ability to practice safely.”

Community Water Fluoridation – Paul Walker reported that this group has not met since the last Board meeting.

Clinical Licensure Exam Committee – Joan Sheppard reported that the Clinical Licensure Exam Committee met and completed version IV of the ADT certification exam. The exam was administered on January 6th.

Licensure & Credentials Committee – Nancy Kearn reported that the Licensure & Credentials Committee will be interviewing one of the ADT candidates next Friday and the other 3 in February. The Committee has not met in open session.

Prescription Monitoring Program (PMP) – Neal Benjamin indicated that the PMP report to the Legislature was included in the Board packet. The report recommends that certain practitioners be required to participate in the program, but does include information indicating that the requirement to participate did not receive consensus from the full Task Force.

Licensing Update – Joyce Nelson indicated that licensure statistics were included in the Executive Director's report.

CRDTS – Nancy Kearn reported that a written CRDTS Steering Committee Update was included in the Board packet.

AADB – Nancy Kearn reported that a written AADB report was included in the Board packet.

Complaint Committees – Mary Liesch reported that complaint statistics were included in the Board packet. There were 263 complaints in 2014. The 5-year average for complaints is 249 per year. Public action statistics were also included in the Board packet, and Mary noted that the number of public actions has increased significantly.

NDEB – Neal Benjamin indicated that a written report was included in the Board packet. The report includes a diagram to show how Canada is dealing with the exam process. Neal noted that Canada is working on modifying their exam process. Canada has determined that anyone graduating from a Canadian dental school has acceptable clinical skills.

Travel Authorizations

January 23-25, 2015: Southern Conference of Dental Deans and Examiners Meeting, Louisville, KY.
Request: retroactive approval for David Gesko to attend.

MOTION:	Executive Committee
VOTE:	For: 9
	Opposed: 0
RESULT:	Motion Passed. Travel authorized as indicated above.

January 23-24, 2015: Central Regional Dental Testing Services (CRDTS) Captains & Coordinators Meeting, Kansas City, MO. Request: approval for Neal Benjamin and Nancy Kearn to attend.

MOTION:	Teri Youngdahl
SECOND:	Allen Rasmussen
VOTE:	For: 9
	Opposed: 0
RESULT:	Motion Passed. Travel authorized as indicated above.

1 **February 5-6, 2015: Commission on Dental Accreditation (CODA) Open Meeting, Chicago, IL.** Request:
2 approval for Nancy to attend.

3
4 **MOTION:** Paul Walker
5 **SECOND:** Joan Sheppard
6 **VOTE:** For: 9
7 Opposed: 0
8 **RESULT:** Motion Passed. Travel authorized as indicated above.
9

10 **April 9-10, 2015: GL Solutions Client Conference, Bend, OR.** Request: approval for 2 staff to attend.

11
12 **MOTION:** Paul Walker
13 **SECOND:** Nancy Kearn
14 **VOTE:** For: 9
15 Opposed: 0
16 **RESULT:** Motion Passed. Travel authorized as indicated above.
17

18 **April 26-27, 2015: American Association of Dental Boards (AADB) Mid-Year Meeting, Chicago, IL.**
19 Request: approval for 4 Board members/staff to attend.

20
21 **MOTION:** Jake Manahan
22 **SECOND:** Steven Sperling
23 **VOTE:** For: 9
24 Opposed: 0
25 **RESULT:** Motion Passed. Travel authorized as indicated above.
26

27 **Licenses for Ratification and Reinstatement**

28 Ratifications: October 1, 2014 through December 18, 2014

29 Reinstatements: October 1, 2014 through December 18, 2014
30

31 **Motion: to approve all licenses submitted for ratification and license reinstatement.**

32
33 **MOTION:** Joan Sheppard
34 **SECOND:** Nancy Kearn
35 **VOTE:** For: 9
36 Opposed: 0
37 **RESULT:** Motion Passed. Licenses ratified and reinstated as submitted.
38

39 **Variance Request**

40 **Anna Blomberg, LDA: Variance request regarding CPR certification**

41 Licensee's CPR card had a recommended renewal date of September 2014. Licensee has not been working in a
42 clinical setting since September 17, 2014 due to her high risk pregnancy. Licensee has a due date of February
43 26, 2015, plus 6 weeks healing time. Licensee has a biennial renewal deadline date of March 31, 2015. Licensee
44 plans to participate in a CPR renewal course sometime in May 2015. Licensee is requesting an extension to
45 complete the CPR certification requirement for her dental assistant license.
46

47 **Motion made to grant the variance request for Anna Blomberg with the condition that she not**
48 **engage in clinical practice until she has taken the CPR renewal course.**
49

50 **MOTION:** Jake Manahan
51 **SECOND:** Paul Walker
52 **VOTE:** For: 9
53 Opposed: 0
54 **RESULT:** Motion passed. Variance to CPR requirement granted with condition of
55 not engaging in clinical practice until CPR course has been taken.

1 **Discussion of JACD “Ethics of Experimenting in Dental Practice” article**

2 Neal Benjamin reported that the Board packet included an article from the Journal of the American College of
3 Dentists, which was used with their permission. Neal indicated that he had presented the article as a learning
4 opportunity and to help those who work on complaint committees to understand the difficulties that providers go
5 through.
6

7 **Review of Action Items**

8 The following list of action items was reviewed by the Board members:

- 9 1. Look into whether there is a time frame for when agendas and packets need to go out to the public
10 before open meetings – Attorney General’s Office
11 2. Monitor the progress of the PMP bill through the legislature and if language is added that would require
12 dentists to access the database, alert Board members – Marshall
13 3. Fill out Delegation of Authority forms and get appropriate signatures – Michelle
14

15 **Open Meeting Law Presentation**

16 Karen Olson, Deputy Attorney General, provided a presentation regarding open meeting laws.
17

18 Following the Open Meeting Law discussion, the purpose of the afternoon closed session was discussed. Due to
19 confusion regarding when the public meeting to address IOPP changes and the closed meeting to discuss the
20 Executive Director’s performance evaluation would be held another motion was brought forward.
21


22 **Motion made to convene a special meeting of the full Board on a different date, at a time when all**
23 **Board members can attend if they desire to, with the purpose of evaluating the IOPP as it relates to**
24 **the process of evaluation of the Executive Director, and to convene in closed session to evaluate the**
25 **performance of the Executive Director following the open session.**
26

27 **MOTION:** Joan Sheppard
28 **SECOND:** Paul Walker
29 **VOTE:** For: 5 (Gesko, Sheppard, Benjamin, Walker, Sperling)
30 Opposed: 4 (Rasmussen, Manahan, Kearn, Youngdahl)
31 **RESULT:** Motion Passed. Special Full Board meeting will be scheduled.
32
33

34 **ADJOURN**

35 The Minnesota Board of Dentistry public meeting was adjourned at 3:00 pm to reconvene in
36 closed Executive session.
37

38 Minutes Approved by the Minnesota Board of
39 Dentistry this 10th day of April, 2015
40
41

42 
43
44 **David Gesko, DDS, President**